

HOUSE BILL NO. 188

INTRODUCED BY W. MCNUTT

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A BILL FOR AN ACT ENTITLED: "AN ACT DEFINING AND ALLOWING THE TRANSPORTATION OF "TRIPLE IMPLEMENT DEALER TRANSPORTS"; SETTING THE FEE FOR A TERM PERMIT FOR TRIPLE IMPLEMENT DEALER TRANSPORTS; AMENDING SECTIONS 61-10-104 AND 61-10-124, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-10-104, MCA, is amended to read:

"61-10-104. Length -- definitions. (1) A single truck, bus, or self-propelled vehicle, unladen or with load, may not have an overall length, inclusive of front and rear bumpers, in excess of 55 feet.

(2) (a) When used in a truck tractor-semitrailer combination, the semitrailer may not exceed 53 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124. When used in a truck tractor-semitrailer-trailer or a truck tractor-semitrailer-semitrailer combination, the semitrailer and trailer or the two semitrailers may not exceed 28 1/2 feet each in length or 61 feet in combined trailer length, excluding those portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semitrailer, truck tractor-semitrailer-trailer, and truck tractor-semitrailer-semitrailer combinations are not subject to a combination length limit.

(b) A stinger-steered automobile or boat transporter may not exceed 75 feet in length plus a maximum 3 feet of front overhang and 4 feet of rear overhang, except as provided by 61-10-124. "Stinger-steered automobile or boat transporter" means a truck tractor-semitrailer combination that has a fifth wheel on a drop frame located behind and below the rear axle of the truck tractor and that is designed and used for the transportation of vehicles or assembled boats or boat hulls.

(c) All other combinations of vehicles may not have a combination length in excess of 75 feet, except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the combination must be equipped with breakaway brakes.

(3) A motor vehicle may not tow more than one motor vehicle, and a motor vehicle may not draw more than three motor vehicles attached to it by the triple saddle-mount method (that is, by mounting the front wheels

1 of one vehicle on the bed of another, leaving only the rear wheels of the vehicle in contact with the roadway), and
2 this combination may not have a combination length in excess of 75 feet.

3 (4) A passenger vehicle or truck of less than 2,000 pounds "manufacturer's rated capacity" may not tow
4 more than one trailer or semitrailer, and this combination may not have a length in excess of 65 feet.

5 (5) (a) The length of a vehicle combination consisting of a truck or truck tractor and one pole trailer or
6 semitrailer hauling raw logs may not exceed 75 feet in overall length. As used in this subsection (5)(a), the term
7 "length" means the total length of the vehicle combination beginning at the front of the front bumper of the truck
8 or truck tractor and extending to the most distant end of the logs being hauled. A term permit for an overlength
9 vehicle combination, as provided in 61-10-124(2), does not apply to the vehicle combination described in this
10 subsection (5)(a). A vehicle combination exceeding 75 feet must have a trip permit.

11 (b) The maximum overhang of any log may not exceed 15 feet, except by special, single-trip permit.
12 Overhang is measured from the center of the rear-most axle to the most distant end of the logs being hauled.

13 (c) The provisions in subsections (5)(a) and (5)(b) do not apply to a vehicle combination hauling utility
14 poles.

15 (6) As used in this chapter, the following definitions apply:

16 (a) "Axle" means a transverse beam that is the common axis of rotation of one or more wheels and that,
17 to receive credit for allowable total gross loading, must be capable of continuously transmitting a proportionate
18 share of the total gross load to the roadway when the axle is in operation.

19 (b) "Combination length" means the total length of a combination of vehicles, such as a truck
20 tractor-semitrailer-trailer combination, measured from the front bumper of the motor vehicle to the back bumper
21 or rear extremity of the last trailer, including the connection tongues.

22 (c) "Combined trailer length" means the total length of a combination of trailers measured from the front
23 of the first trailer to the back of the last trailer, including the connection tongues and loads.

24 (d) "Length", except as provided in subsection (5)(a), means the total longitudinal dimension of a single
25 vehicle, a trailer, or a semitrailer. The length of a trailer or semitrailer is measured from the front of the
26 cargo-carrying unit to its rear, exclusive of safety or energy efficiency devices, air-conditioning units, air
27 compressors, flexible fender extensions, splash and spray suppressant devices, bolsters, mechanical fastening
28 devices, and hydraulic lift gates.

29 (e) "Rocky Mountain double" means a combination of vehicles that includes a truck tractor pulling a long
30 semitrailer and a shorter trailer.

1 (f) "Triple implement dealer transport" means a combination of vehicles that includes a truck or truck
2 tractor pulling two trailing units composed of purchased, leased, or rented farm implements being transported to
3 or from a farm by a dealer in implements of husbandry."

4

5 **Section 2.** Section 61-10-124, MCA, is amended to read:

6 **"61-10-124. (Temporary) Special permits -- fees.** (1) Except as provided in subsections (2)(b), (2)(d),
7 and (4), in addition to the regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and
8 a fee of \$75 for each term permit issued for size in excess of that specified in 61-10-101 through 61-10-104 must
9 be paid for all movements under special permits on the public highways under the jurisdiction of the department
10 of transportation.

11 (2) (a) Except as provided in subsections (2)(b), (2)(d), (2)(f), (4), and (5), term or blanket permits may
12 not be issued for an overwidth vehicle, combination of vehicles, load, or other thing in excess of 15 feet; an
13 overlength vehicle, combination of vehicles, load, object, or other thing in excess of 95 feet; or an overheight
14 vehicle, combination of vehicles, load, or other thing in excess of 14 feet or of a limit determined by the
15 department. A vehicle, combination of vehicles, load, or other thing in excess of these dimensions is limited to
16 trip permits. Except as provided in subsection (2)(g), a Rocky Mountain double may not exceed 81 feet in
17 combined trailer length. A Rocky Mountain double is not subject to a combination length limit. Special permits for
18 vehicle combinations of more than two trailers or more than two units designed for or used to carry a load are not
19 permitted except as provided in subsections (4) and (5). Special permits for vehicle combinations may specify
20 and special permits under subsections (4) and (5) must specify highway routing and otherwise limit or prescribe
21 conditions of operation of the vehicle or combination, including but not limited to required equipment, speed,
22 stability, operational procedures, and insurance.

23 (b) A term permit may be issued to a dealer in implements of husbandry and self-propelled machinery
24 for an overwidth or overlength vehicle referred to in subsection (2)(a), including a triple implement dealer
25 transport. The fee for this permit is \$75. This permit expires on December 31 of each year, with no grace period.

26 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment of the
27 fee prescribed in subsection (1), allowable gross weight of a five-axle combination logging vehicle is 80,000
28 pounds.

29 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but does
30 not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer

1 combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103,
2 or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain
3 necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department
4 may authorize travel between the terminal and the interchange. The fee for this permit is \$125.

5 (e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer exceeds
6 53 feet in length but does not exceed 57 feet in length.

7 (f) (i) An annual permit may be issued for nondivisible loads up to 120 feet in length. The fee for this
8 permit is \$125.

9 (ii) Portions of a nondivisible load hauled on a public road off of the interstate highway may be detached
10 and reloaded on the same hauling unit if the separate pieces are necessary to the operation of the machine or
11 equipment that is being hauled and if the arrangement does not exceed limits for which a permit may be issued.

12 (iii) An applicant for a nondivisible load permit for use as provided in subsection (6)(b) is responsible for
13 providing information regarding the number of work hours required to dismantle the load.

14 (iv) For use as provided in subsection (6)(b) and for the purposes of this section, emergency response
15 vehicles and casks designed and used for the transport of spent nuclear materials are considered nondivisible
16 loads.

17 (g) A Rocky Mountain double carrying baled hay may not exceed 88 feet of combined trailer length.

18 (3) Except as provided in subsection (2)(b), a permit may not be issued for a period of time greater than
19 the period for which the GVW license is valid as provided in this title, including grace periods allowed by this title.
20 Owners of vehicles licensed in other jurisdictions may, at the discretion of the department of transportation,
21 purchase permits to expire with their registration. A license required by the state governs the issuance of a special
22 permit.

23 (4) The department may issue special permits to the operating company for a truck-trailer-trailer or truck
24 tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

25 (a) the combination may be operated only on highways that are part of the federal-aid interstate system,
26 as defined in 60-1-103, and within a 2-mile radius of an interchange on the interstate system on other highways
27 only in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile
28 radius, the department may authorize travel between the terminal and the interchange.

29 (b) a combination of vehicles powered by a cab-over or tilt-cab truck tractor or a truck may not exceed
30 an overall length of 105 feet, inclusive of front and rear bumpers and overhang;

1 (c) a combination of vehicles powered by a conventional truck tractor may not exceed an overall length
2 of 110 feet, inclusive of the front and rear bumpers and overhang;

3 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102 inches in
4 width;

5 (e) gross weight fees under 61-10-201 must be paid on the truck or truck tractor for the declared
6 registered gross weight of the special vehicle combination, but not to exceed the formula in 61-10-107;

7 (f) the combination must have a special overlength permit issued at a fee of \$200 for a term permit or
8 \$20 for each trip permit;

9 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days, or
10 seasonal periods; and

11 (h) the department may enforce any other restrictions determined by the department to be necessary.
12 The permit is not transferable, and the fee for the permit is \$200.

13 (5) The department of transportation may issue special permits under subsection (4) for vehicle
14 combinations that consist of a truck-trailer-trailer if:

15 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than 95 feet;
16 and

17 (b) the person, firm, or corporation applying for the permit:

18 (i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore, chlorite,
19 dolomite, limestone, and custom combine equipment;

20 (ii) operated the truck-trailer-trailer combination before July 1, 1987;

21 (iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that those
22 vehicles used before July 1, 1987; and

23 (iv) provides the department of transportation with an affidavit confirming the routes used before July 1,
24 1987, for truck-trailer-trailer operations.

25 (6) For the purposes of this section, a "nondivisible load" is:

26 (a) on public roads off of interstate highways, a load that cannot be readily or reasonably dismantled and
27 that is reduced to a minimum practical size and weight;

28 (b) on interstate highways, a load or vehicle exceeding applicable length or weight limits that, if separated
29 into smaller loads or vehicles, would:

30 (i) compromise the intended use of the vehicle;

1 (ii) destroy the value of the load or vehicle; or

2 (iii) require more than 8 work hours to dismantle using appropriate equipment. (Void on occurrence of
3 contingency--sec. 2, Ch. 285, L. 2003.)

4 **61-10-124. (Effective on occurrence of contingency) Special permits -- fees.** (1) Except as provided
5 in subsections (2)(b), (2)(d), and (4), in addition to the regular registration and gross vehicle weight fees, a fee
6 of \$10 for each trip permit and a fee of \$75 for each term permit issued for size in excess of that specified in
7 61-10-101 through 61-10-104 must be paid for all movements under special permits on the public highways under
8 the jurisdiction of the department of transportation.

9 (2) (a) Except as provided in subsections (2)(b), (2)(d), (2)(f), (4), and (5), term or blanket permits may
10 not be issued for an overwidth vehicle, combination of vehicles, load, or other thing in excess of 15 feet; an
11 overlength vehicle, combination of vehicles, load, object, or other thing in excess of 95 feet; or an overheight
12 vehicle, combination of vehicles, load, or other thing in excess of 14 feet or of a limit determined by the
13 department. A vehicle, combination of vehicles, load, or other thing in excess of these dimensions is limited to
14 trip permits. A Rocky Mountain double may not exceed 81 feet in combined trailer length. A Rocky Mountain
15 double is not subject to a combination length limit. Special permits for vehicle combinations of more than two
16 trailers or more than two units designed for or used to carry a load are not permitted except as provided in
17 subsections (4) and (5). Special permits for vehicle combinations may specify and special permits under
18 subsections (4) and (5) must specify highway routing and otherwise limit or prescribe conditions of operation of
19 the vehicle or combination, including but not limited to required equipment, speed, stability, operational
20 procedures, and insurance.

21 (b) A term permit may be issued to a dealer in implements of husbandry and self-propelled machinery
22 for an overwidth or overlength vehicle referred to in subsection (2)(a), including a triple implement dealer
23 transport. The fee for this permit is \$75. This permit expires on December 31 of each year, with no grace period.

24 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment of the
25 fee prescribed in subsection (1), allowable gross weight of a five-axle combination logging vehicle is 80,000
26 pounds.

27 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but does
28 not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer
29 combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103,
30 or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain

1 necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department
2 may authorize travel between the terminal and the interchange. The fee for this permit is \$125.

3 (e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer exceeds
4 53 feet in length but does not exceed 57 feet in length.

5 (f) (i) An annual permit may be issued for nondivisible loads up to 120 feet in length. The fee for this
6 permit is \$125.

7 (ii) Portions of a nondivisible load hauled on a public road off of the interstate highway may be detached
8 and reloaded on the same hauling unit if the separate pieces are necessary to the operation of the machine or
9 equipment that is being hauled and if the arrangement does not exceed limits for which a permit may be issued.

10 (iii) An applicant for a nondivisible load permit for use as provided in subsection (6)(b) is responsible for
11 providing information regarding the number of work hours required to dismantle the load.

12 (iv) For use as provided in subsection (6)(b) and for the purposes of this section, emergency response
13 vehicles and casks designed and used for the transport of spent nuclear materials are considered nondivisible
14 loads.

15 (3) Except as provided in subsection (2)(b), a permit may not be issued for a period of time greater than
16 the period for which the GVW license is valid as provided in this title, including grace periods allowed by this title.
17 Owners of vehicles licensed in other jurisdictions may, at the discretion of the department of transportation,
18 purchase permits to expire with their registration. A license required by the state governs the issuance of a special
19 permit.

20 (4) The department may issue special permits to the operating company for a truck-trailer-trailer or truck
21 tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

22 (a) the combination may be operated only on highways that are part of the federal-aid interstate system,
23 as defined in 60-1-103, and within a 2-mile radius of an interchange on the interstate system on other highways
24 only in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile
25 radius, the department may authorize travel between the terminal and the interchange.

26 (b) a combination of vehicles powered by a cab-over or tilt-cab truck tractor or a truck may not exceed
27 an overall length of 105 feet, inclusive of front and rear bumpers and overhang;

28 (c) a combination of vehicles powered by a conventional truck tractor may not exceed an overall length
29 of 110 feet, inclusive of the front and rear bumpers and overhang;

30 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102 inches in

1 width;

2 (e) gross weight fees under 61-10-201 must be paid on the truck or truck tractor for the declared
3 registered gross weight of the special vehicle combination, but not to exceed the formula in 61-10-107;

4 (f) the combination must have a special overlength permit issued at a fee of \$200 for a term permit or
5 \$20 for each trip permit;

6 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days, or
7 seasonal periods; and

8 (h) the department may enforce any other restrictions determined by the department to be necessary.

9 The permit is not transferable, and the fee for the permit is \$200.

10 (5) The department of transportation may issue special permits under subsection (4) for vehicle
11 combinations that consist of a truck-trailer-trailer if:

12 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than 95 feet;

13 and

14 (b) the person, firm, or corporation applying for the permit:

15 (i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore, chlorite,
16 dolomite, limestone, and custom combine equipment;

17 (ii) operated the truck-trailer-trailer combination before July 1, 1987;

18 (iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that those
19 vehicles used before July 1, 1987; and

20 (iv) provides the department of transportation with an affidavit confirming the routes used before July 1,
21 1987, for truck-trailer-trailer operations.

22 (6) For the purposes of this section, a "nondivisible load" is:

23 (a) on public roads off of interstate highways, a load that cannot be readily or reasonably dismantled and
24 that is reduced to a minimum practical size and weight;

25 (b) on interstate highways, a load or vehicle exceeding applicable length or weight limits that, if separated
26 into smaller loads or vehicles, would:

27 (i) compromise the intended use of the vehicle;

28 (ii) destroy the value of the load or vehicle; or

29 (iii) require more than 8 work hours to dismantle using appropriate equipment."
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